

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 17-1406

JAMSHEED GHORBANI,

Petitioner,

v.

JEFFERSON B. SESSIONS III, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals.

Submitted: December 18, 2017

Decided: January 10, 2018

Before MOTZ and SHEDD, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Petition dismissed by unpublished per curiam opinion.

Jason A. Dzubow, DZUBOW & PILCHER, PLLC, Washington, D.C., for Petitioner. Chad A. Readler, Acting Assistant Attorney General, Andrew O'Malley, Senior Litigation Counsel, Brendan P. Hogan, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jamsheed Ghorbani, a native and citizen of Iran, petitions for review of an order of the Board of Immigration Appeals (Board) dismissing his appeal from the immigration judge's denial of his asylum application as time-barred. The agency granted Ghorbani's request for withholding of removal under 8 U.S.C. § 1231(b)(3) (2012).

On appeal, Ghorbani challenges the agency's determination that he failed to establish extraordinary circumstances to excuse the untimely filing of his asylum application. *See* 8 U.S.C. § 1158(a)(2)(B), (D) (2012). We lack jurisdiction to review this determination pursuant to 8 U.S.C. § 1158(a)(3) (2012), and find that Ghorbani does not raise a constitutional claim or question of law that would fall under the exception set forth in 8 U.S.C. § 1252(a)(2)(D) (2012). *See Mulyani v. Holder*, 771 F.3d 190, 196-97 (4th Cir. 2014); *Gomis v. Holder*, 571 F.3d 353, 358-59 (4th Cir. 2009). We therefore dismiss the petition for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DISMISSED